



Pennsylvania Department of Environmental Protection

Rachel Carson State Office Building

P.O. Box 2063

Harrisburg, PA 17105-2063

July 19, 2001

The Secretary

Phone: 717-787-2814

E-Mail: DavidHess@state.pa.us

Ms. Judy Katz, Director
U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Dear Judy:

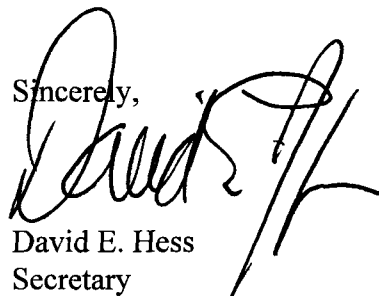
Enclosed for your approval are two revisions to the Pennsylvania State Implementation Plan for the Philadelphia Ozone Nonattainment Area which were subject to a public comment period closing June 29, 2001.

The first revision describes the analysis of additional reasonably available control measures that would advance the ozone attainment date for the Philadelphia area as requested by your letter of April 12, 2001. This SIP revision includes the Secretary's letter of February 25, 2000.

The second revision contains a new motor vehicle budget for 2005 which includes the reductions expected from the federal Tier 2/low sulfur program for light-duty vehicles.

Should you have questions regarding these submissions, contact James M. Salvaggio, Bureau of Air Quality, at 717-772-9702.

Sincerely,



David E. Hess
Secretary

RECEIVED

JUL 25 2001

Programs Associate Dir. (3AP00)

The proposed revisions are necessary to clarify the general NPDES Permit as it relates to EPA's CSO policy and to clarify previous language. There is no change to the current permit application fee of \$100 for general and \$500 for an individual permits. The following paragraphs summarize proposed revisions to the current permit documents:

(1) The permit was reformatted to comply with a standard outline format. Modifications to the existing language were made to page 2, paragraphs 5 and 6; page 3 item I.D., item I.E. and the last paragraph on page 5 to clarify previous language. In addition, changes were made to page 7, item IV.A; page 16, items III.D. and E.; and page 17, item IV.B.2.c. for clarification. Additional changes were made throughout the document to clarify language. These changes do not constitute major changes to the document, but rather, a clarification of prior language.

(2) The provisions of Part C item III.A. previously required that until completion of the implementation of the Long Term Control Plan, the Combined Sewer Overflow could not contain any pollutant in amounts or concentrations that cause or contribute to an instream excursion above State water quality standards. New language has replaced this existing language to clarify that the provisions of 25 Pa. Code § 93.6 apply.

The draft permit document package has been completed and is on file in the Department's Central Office in the Division of Wastewater Management, Bureau of Water Supply and Wastewater Management at the location noted. The draft documents are also available on DEP website at: http://www.dep.state.pa.us/dep/deputate/watermgt/Wqp/Forms/Forms_Home.htm. The package can be obtained by writing to the following address or by calling the telephone number given: Department of Environmental Protection, Bureau of Water Supply and Wastewater Management, Division of Wastewater Management, Rachel Carson State Office Building, P. O. Box 8774, 11th Floor, Harrisburg, PA 17105-8774, (717) 787-8184, e-mail address: marymille@state.pa.us.

This notice provides for a process and an opportunity for public comments and input in finalization of the proposed revisions. The Department of Environmental Protection invites public comments on the proposed revisions and any other recommended changes that should be made to the general permit and related documents. All comments must be submitted within 30 days from the date of the publication of this notice in the *Pennsylvania Bulletin*. If there is significant public interest in the general permit or if requested, the comment period may be extended at the discretion of the Department for an additional 15-day period. Only the comments received within the specified period will be considered in the formulation of the final documents for this general permit. Persons wishing to comment should include their name, address, telephone number and a concise comment statement to inform the Department of the exact basis of the comment and the relevant facts upon which it is based. A public meeting or hearing may be held if the Department considers the public interests and/or comments significant. Written comments should be submitted at the previous address. Comments will not be accepted by facsimile or on voice mail. Comments will also be accepted by e-mail and should be sent to: patel@state.pa.us.

Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). Following the specified comment

period, the Department will review all submitted comments, prepare a written comments and response document (CRD) and prepare final documents package for this permit. An availability of the final permit documents will be announced in the *Pennsylvania Bulletin*. Anyone wishing to also receive a copy of the final documents may request them by contacting the previous addresses or telephone numbers.

DAVID H. HESS,
Secretary

[Pa.B. Doc. No. 01-908. Filed for public inspection May 25, 2001, 9:00 a.m.]

Proposed Revisions to the State Implementation Plan for the Philadelphia Ozone Nonattainment Area; Public Hearings

Ground-level ozone concentrations above the Federal health-based standard are a serious human health threat and can also cause damage to crops, forests and wildlife. The Department of Environmental Protection (Department) is seeking public comment on two State implementation plan (SIP) revisions for the Philadelphia ozone nonattainment area (Bucks, Chester, Delaware, Montgomery and Philadelphia counties).

The United States Environmental Protection Agency (EPA) has asked the Commonwealth to submit additional information on the analysis of additional reasonably available control measures that would advance the ozone attainment date for the Philadelphia area. The first SIP revision demonstrates to EPA that the Department considered additional control measures by clarifying relevant documentation previously submitted to EPA.

The second SIP revision establishes a new 2005 motor vehicle emission budget for 2005 for the purposes of transportation conformity. Areas must include in their SIPs all control measures which will be in place by the attainment year and which are assumed in the air quality attainment demonstration. This proposed SIP includes emission reductions attributable to the Federal new car program (Tier 2/Low Sulfur) that begins with the 2004 model year.

These proposals are available on the Department's website at <http://www.dep.state.pa.us>, choose Information by Subject/Air Quality/State Implementation Plans, or through the contact persons listed.

The Department will hold two consecutive public hearings to receive comments on the SIP revision on Thursday, June 28, 2001, at 1 p.m. and 2 p.m., respectively, at the Department of Environmental Protection, Southeast Regional Office Hearing Room, Lee Park, 555 North Lane, Suite 6010, Conshohocken, PA.

Persons wishing to present testimony at the hearing should contact Connie Cross, (717) 787-9495 (P.O. Box 8468, Harrisburg, PA 17105) to reserve a time. Persons who do not reserve a time will be able to testify after preregistrants. Witnesses should keep testimony to 10 minutes and should provide two written copies at the hearing. Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding, should contact Wick Havens at (717) 787-9495. TDD users may contact the AT&T Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

Written comments should be sent to Wick Havens, Chief, Division of Air Resource Management, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468 no later than close of business on June 29, 2001.

DAVID E. HESS,
Secretary

[Pa.B. Doc. No. 01-909. Filed for public inspection May 25, 2001, 9:00 a.m.]

Public Meetings/Hearings on Draft Antidegradation Guidance

The Department of Environmental Protection (DEP) is holding a series of three public meetings/hearings on its draft Antidegradation Implementation Guidance. This document describes procedures proposed for use in administering the antidegradation component of Pennsylvania's Water Quality Standards as required under the Federal Clean Water Act. The Guidance was developed by DEP's Bureau of Water Supply and Wastewater Management and is available on the DEP website at www.dep.state.pa.us (directLINK "Water Quality Assessment and Standards") or can be obtained by contacting Mary Houghton at DEP Office of Water Management, Bureau of Water Supply and Wastewater Management, Division of Water Quality Assessment and Standards, 10th Floor, Rachel Carson State Office Building, P. O. Box 8555, Harrisburg, PA 17105-8555, (717) 787-9637 or mhoughton@state.pa.us.

The purpose of the Antidegradation Program is to protect existing and designated uses of all surface waters and to protect existing quality of High Quality (HQ) and Exceptional Value (EV) waters. This implementation guidance provides a general description of the program and its legislative history, an explanation of existing and designated uses and presents discussion on the following topics:

- 1) Processing of petitions, evaluations and assessments to change a designated use;
- 2) Qualifying as HQ or EV waters;
- 3) Protection of HQ and EV waters including nondischarge alternatives, nondegrading discharge alternatives and minimum technology-based standards (antidegradation best available combination of technologies);
- 4) Social or economic justification needed to lower water quality;
- 5) Nonpoint source controls; and
- 6) Public participation during implementation of antidegradation requirements.

The public meetings/hearings will be held as follows:

July 17, 2001
Conley Resort Inn
740 Pittsburgh Road
Butler, PA 16002
(724) 586-7711

July 18, 2001
Clarion Inn
13015 Ferguson Valley Road
(Burnham/Yeagertown Exit off of 322)
Burnham, PA 17009
(717) 248-4961

July 19, 2001
Days Inn
1151 Bulldog Drive
Allentown, PA 18105
(610) 395-3731

Each public meeting will begin at 6:30 p.m. on the date scheduled and will be followed by a public hearing that will begin no later than 7:30 p.m. During these public meetings, DEP will provide a short summary of the guidance and answer questions. The hearings will offer an opportunity for formal testimony.

Persons wishing to present oral testimony at any of these hearings are requested to contact Mary Houghton at least 1 week in advance of the hearing to reserve a time slot. Oral testimony is limited to 10 minutes for each witness, and each organization is limited to one witness. Witnesses are requested to submit three written copies of their testimony to the chairperson at the hearing.

Written comments may be submitted in place of or in addition to oral testimony and should include the name, address and telephone number of the person submitting them. Written comments will be accepted by postal or electronic mail at the addresses previously listed. Comments submitted by facsimile or voice mail will not be accepted.

The comment period extends through July 31, 2001, and comments and testimony received by that date will be considered in the formulation of final guidance for the Antidegradation Program, which will be announced in the *Pennsylvania Bulletin*.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Mary Houghton at (717) 787-9637 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) or (800) 654 5988 (voice) to discuss how DEP may accommodate their needs.

DAVID E. HESS,
Secretary

[Pa.B. Doc. No. 01-910. Filed for public inspection May 25, 2001, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Design Professional Selection

The Selections Committee (Committee) will meet to consider selection of Design Professionals for the following project which received an insufficient number of applications for consideration by the Committee at its public meeting on April 18, 2001:

Project No. DGS 960-27—Restoration of Exterior Masonry of Main Building Pennsylvania Soldiers' and Sailors' Home, Erie, Erie County, PA. Construction Cost: \$917,000. The scope of work includes, but is not limited to, renewing broken/cracked/spalled brick. Repoint window sill, cast stone band course and corner joints. (See Note under Requirements and Information regarding Previous Applications.)

Connie Cross : 717-7
DEP, BAQ, Div. of ARM
P.O. Box 8468
Harrisburg, PA 17105-8468

SIGNATURE FOR AGENCY

Margaret C. Richarski, Notary
City of Philadelphia, Phila. County
10. Commission Expires May 27, 2002

Jean E D'Arcy
SIGNATURE OF AFFIANT

COMMENT/RESPONSE DOCUMENT
SIP Revision for the Philadelphia Ozone Nonattainment Area
Reasonably Available Control Measure (RACM) Analysis
Proposed May 26, 2001

COMMENTATORS

1. Dr. Lewis Cuthbert
The Alliance for a Clean Environment (ACE)
P.O. Box 3063
Stowe, PA 19464
2. Mr. Francis Jackson
110 Summit Ave.
Hatboro, PA 19040
3. Mr. Sam W. McCahon
National Biodiesel Board
3337A Emerald Lane.
PO Box 104898
Jefferson City, MO 65110-4898

Numbers in parentheses after each comment refer to the commentator as listed above.

Comment #1: The commenter encourages the state to incorporate biodiesel fuel use into the SIP in order to reduce regulated and non-regulated emissions, including ozone-causing compounds. (3)

Response: The Department does encourage the voluntary use of biodiesel fuels as a means of emissions reduction and as a renewable fuel. For this revision, EPA asked specifically for clarifying information regarding the Commonwealth's consideration and analysis of Reasonably Available Control Measures (RACM). This revision clarifies the analysis performed by the Southeast Pennsylvania Ozone Stakeholders Group. While biodiesel remains a beneficial voluntary measure, it will not significantly advance the attainment date based on the reductions calculated for other alternative fuels in the stakeholder report and thus does not represent RACM.

Comment #2: The Department received various comments pertaining to subjects not directly relevant to this SIP revision which is limited to EPA's request for clarifying information on Reasonably Available Control Measures (RACM). These include:

- Opposition to Pennsylvania's use of de minimus emissions increases at Title V facilities, the five-year term of Title V permits, and the use of inter-pollutant emissions trading. (1)
- PA has failed to address reductions of criteria air emissions for major polluting industries across the state. (1)
- RACT for the control of NOx emissions will not be sufficient to enable states in the OTR to reach attainment. (1)
- Requesting that the emissions trading be eliminated in severe nonattainment areas. (1)
- Questioning DEP's February 2000 SIP revision calculations of mobile source inventory reductions for current and future years and questioned the same revision calculations for attainment of the 1-hour ozone standard in 2005. (2)

Response: This SIP revision is intended to clarify information regarding Reasonably Available Control Measures (RACM). While the Department appreciates these public comments, for the purposes of this SIP revision, the above comments are not relevant.

COMMENT/RESPONSE DOCUMENT
SIP Revision for the Philadelphia Ozone Nonattainment Area
Revised Highway Vehicle Emission Budgets
Proposed May 26, 2001

COMMENTATORS

1. Joseph Otis Minott, Esq.
Clean Air Council
135 S. 19th Street, Suite 300
Philadelphia, PA 19103

Comment #1: The commenter had no adverse comments on Pennsylvania's proposed SIP revision with the understanding that the whole budget will be revisited within one year of MOBILE 6 becoming EPA's official testing methodology.

Response: The Department will be revising the mobile emissions inventory and mobile budgets with MOBILE 6 as required by the Clean Air Act. The Department recognizes that following official release by the EPA, MOBILE 6 will represent the most current approved model.

Comment #2: The commenter understands that through this submission Pennsylvania is committing to submit to EPA a mid-course review no later than December 2003.

Response: Recognizing that regular evaluation is an important part of any planning process, Pennsylvania will submit to EPA mid-course review as the Clean Air Act and the rules and regulations under the Clean Air Act require.

Comment #3: The commenter is a strong supporter of Pennsylvania adopting the California LEV II program.

Response: The purpose of this SIP revision is to revise transportation conformity budgets to take into account additional emission reductions expected from the federally adopted Tier2/low sulfur in fuel rule as discussed in EPA's proposed rule of Dec. 16, 1999. As stated in the order adopting Pennsylvania's National Low Emission Program (Dec. 5, 1998), the Commonwealth intends to reassess the air quality needs and emission reduction potential of both the federal and California programs for light-duty vehicles in advance of the end of the Commonwealth's commitment to NLEV (model year 2006).